Law Enforcement News

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Undertrained Maryland officers slip through a legal loophole

Officers assigned to street patrol after just 35 hours of firearms training

A legal loophole that allows police officers in Maryland to be assigned to street duties after completing 35 hours of firearms training — so long as full academy training is completed within the first year of employment — has come under the scrutiny of two state legislators, who say it may have contributed to recent incidents of alleged police brutality, including the shooting death of a handcuffed DUI suspect.

State Senator Beatrice Tignor, who represents the 25th Legislative District that includes Prince George's County, where the shooting took place, said she will introduce legislation during the January session to close the loophole, which she blames for the June 18 death of Archie Elliott Jr., who was struck by 14 bullets allegedly fired by two District Heights police officers.

The officers claim Elliott pointed a gun at them while his hands were handcuffed behind his back. District Heights police officials have said that Jason Leavitt, the officer who arrested Elliott, failed to search him properly before putting him inside the patrol car. The incident is being investigated by both the FBI and the Maryland State Police. State's Attorney Alex Williams is also looking into the case, and a grand jury will determine whether criminal charges should be filed.

Tignor told LEN that the loophole — a provision of a police recruit selection law passed in 1966 — should be closed, and that officers in the county's 19 municipal police departments should be required to complete full academy training before being deployed in their communities.

"Right now, they're being trained by three or four, maybe even more academies, so their training is not uniform and the hours are supposed to be the same. We don't have the system of checks and balances to really see if they are fulfilling those hours," she claimed.

A measure similar to Tignor's will be introduced in the General Assembly by Ulysses Currie, the Senator added.

Tignor's move stemmed from pressure by the Interfaith Action Communities, a coalition of churches in Prince George's County, which have protested the Elliott killing while at the same time trying to ease tensions that arose after the shooting.

"We got behind the Elliott incident because there have been a rash of similar incidents in Prince George's County," said the Rev. Lee Washington, a coalition member who is pastor of the Reid Temple AME Church in Lanham.

Among the incidents cited by Washington were the April beating of a Hyattsville man by three city police officers that left the man hospitalized in a coma for two months, and the June 15 arrest of a Cottage City commissioner by a police officer moments after the commissioner told the officer he had been removed as interim police chief. The incidents have sparked investigations by the FBI and the State Police.

Washington told LEN that his coalition was surprised to learn that the loophole allowed armed officers on the street before they completed at least 400 hours of training. He said the group would like to the county's municipal police officers trained under "a standard, uniform training program," perhaps modeled on the county Police Department's training program.

Revamping the training system would be a first step toward improving relations between the municipal police departments and their constituents, particularly minorities, the minister observed. "Where there are substandard operating procedures, where the municipals are dysfunctional, then we'll probably try to shut them down or have them taken over by either the county or the State Police," he warned.

Another coalition goal is to get more

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Private funding, public benefit eyed in Memphis take-home patrol car drive

A grass-roots campaign in Memphis is gaining support for its proposal to raise funds to buy 60 new police cars that officers would drive in their off hours as well as while on duty in what is being touted as an effort to increase police visibility and reduce crime.

Organizers of "Operation Drive Out Crime," based on a program that has been in place in Jacksonville, Fla., for over 20 years, have set a $1-million goal to purchase the vehicles, with the money coming from private and corporate donations. The proposal, drafted by employees of Coletta Brewer & Co., a public relations firm specializing in "social-responsibility marketing," was presented to Mayor W.W. Herenton.

"It's an initiative that we put together in response to increasing violent crime and acts of random violence," said the campaign's organizer, Suzanne Lewis, in an interview with LEN. "There are a lot of similar programs across the country, but the biggest initial up-front expense has always been funding for the additional squad cars. We have a lot of two-man cars, and what this will do is give the passenger officer a car to drive home."

Lewis said the idea was sparked by a rash of violence in the city, including the July murder of a newspaper deliveryman for the Memphis Commercial Appeal and the abduction and murder of a medical technician from her Harbor Town apartment the same week. "These were acts perpetrated by young street thugs — the very people who are very intimidated by the police."

The effort, if successful, will help increase police presence at a time when most jurisdictions are hard-pressed to raise revenues that would allow for the hiring of additional officers, Lewis said.

"Police tend to believe that if citizens won't vote for a tax increase [for more police], they don't want more protection," she said. "Then they feel they aren't valued by citizens. It becomes a real siege mentality."

Lewis added that police officers she has talked to have expressed enthusiasm about the proposal. "This will be a huge morale boost if it goes through."

Lewis has close ties with the Police Department. Her father, Don, served as the city's chief of police from 1987 to 1990, and her brother is currently a member of the 1,400-officer force.

The company has already lined up one corporate sponsor, the First Tennessee Bank, which agreed to donate $20,000 to the effort. Two major retail stores are interested, Lewis added, and the Commercial Appeal has agreed to include donation envelopes in two future Sunday editions. A four-week "media blitz" was planned to begin late this month, she said.

Favorable reponses from Mayor Herenton and Police Director Melvin Burgess have raised optimism that the effort will be successful, said Lewis. Lieut. John Dwyer, an aide to Burgess, told LEN that the department is examining the proposal closely with regard to procedural and compensation issues and liability, and is conferring with Jacksonville police officials.

"We just want to make sure all the

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What They Are Saying:

"Forty hours of handgun training and then going on the streets as a sworn officer is just not enough to provide what the community expects in the way of police service."

— Prince George's County (Md.) Police Chief David Mitchell, on a Maryland law that allows police recruits to be assigned to the streets for up to a year before they must complete academy training. (9:4)

In Jacksonville, both police and the public like their take-home cars

Officials of the Jacksonville/Duval County Sheriff's Department in Florida say their 21-year-old Personalized Vehicle Program has played a major role in maintaining good community-police relations and has helped police keep crime well below national levels.

The city and county, which merged in 1968 to form a consolidated government and created an 840-square mile city — the largest land area for a city in the world at that time — also merged its sheriff's and police departments. In 1972, the PVP was instituted to provide more police coverage for the sprawling city without having to hire more police officers.

Statistics show that Jacksonville has substantially lower crime rates than other cities of its size, despite a department strength that averages only 1.6 officers per 1,000 residents. The increased visibility of police as a result of the PVP is a pivotal factor in keeping crime low, said the department's Deputy Director, W.B. Hodges, a 23-year veteran of the agency.

"It's been a tremendous asset to us," he told LEN. "We've got about 1,300 officers involved in the program, and that's gives us all of these cars on the street just about all of the time. They supplement our on-duty officers by a tremendous amount."

Hodges said off-duty officers in the PVP handled 183,471 calls in 1992, out of an estimated 1 million calls for service. Off-duty officers who answer calls receive the use of the car, as well as regular and overtime pay if their off-duty responses total over 170 hours. "Most of the time, they stop, and if it's going to be very involved, they'll call an on-duty car. But if we have no on-duty cars available, headquarters might

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Around the Nation

CONNECTICUT — New Britain police arrested a state trooper in the death of a woman killed when his speeding cruiser smashed into her car. James P. Taylor, 29, was arrested Aug. 17 and charged with misconduct with a motor vehicle, speeding and violating a traffic signal. Lorraine Spranzo was killed May 2 when Taylor allegedly barrelled through a flashing yellow light and broadsided her car

MARYLAND — The Baltimore Sun reported last month that 2,000 violent offenders are not being supervised while on parole and probation, a situation that Nancy Nowak, the state's new parole chief, called "a time bomb."

The state Supreme Court on Aug 27 struck down a state law that forbade the burning of crosses or other religious symbols, saying such activity is constitutionally protected free speech.

MASSACHUSETTS — A Chelsea police captain accused of corruption denied taking bribes from bookmakers in exchange for protection from police raids during courtroom testimony last month Capt. Leo A. (Buddie) McHatton Jr. said he never took "a red cent from anyone" and that bookmakers prospered because police were tied up with drug dealers and prostitutes. He was charged as part of an ongoing Federal investigation of corruption among city officials.

A man accused of posing as a police officer to force his way into a Boston home and robbing its occupant is a former New York City cop, his lawyer revealed last month. John Cywinski, 47, was a member of the New York Police Department from 1968 to 1972. He and an accomplice carried an NYPD badge, a patrolmen's union card and Newbury College campus police badge when they were arrested Aug. 15 shortly after the robbery.

Boston Police Commissioner William Bratton said the agency will actively recruit gay and lesbian police officers for the first time when a three-year hiring freeze ends this month. Bratton said women and Asian-Americans will also be targeted in a drive to hire at least 100 new officers.

NEW HAMPSHIRE — A woman filed a lawsuit against the Town of Tilton and Police Officer Adam Roy last month, charging that the officer made sexual advances toward her after taking a sexual assault report in August 1992.

NEW JERSEY — The state Supreme Court on Aug. 16 disclosed new policies aimed at eliminating widespread racial bias in the state judicial system. The court accepted most of the recommendations made by a task force, including hiring and promoting more minority workers, providing sensitivity training for employees and providing more translators

Seven carjacking suspects — six of them female, including four minors — could face up to 30 years in prison if convicted under the state's tough new carjacking law, which went into effect last month. The first to be arrested under the law were a man and a woman who were apprehended after a 100-mph chase through three towns. In another case, five women, including four juveniles, were arrested on charges of carjacking after stealing a car from an East Orange man who gave them a lift.

The state's Public Advocate said she will challenge the tougher penalties for juvenile car thieves that were signed into law by Gov. Jim Florio, saying that they are constitutionally flawed. Zulima V. Farber said the new laws prevent judges from crediting juveniles with time already served in custody before being convicted and sentenced.

NEW YORK — New York City authorities have arrested 19 members of a gang accused of smuggling Chinese immigrants into the United States. Guo Liang Chi, the alleged leader of the Fuk Ching gang, was arrested in Hong Kong Aug 27 and is expected to be extradited to the United States to face numerous charges, including murder.

New York City Police Commissioner Raymond Kelly disclosed Aug. 24 that Federal and state prosecutors are investigating allegations that a group of police officers ran a drug-trafficking ring while on duty at Brooklyn's 73rd Precinct. The investigation is said to be focusing on a group of 10 and 15 officers who allegedly conducted illegal raids, failed to turn in seized cash and gave some of the stolen drugs to friends.

A New York State Police lieutenant last month became the fifth member of the agency to be charged in a growing evidence-tampering scandal. Lieut. Patrick F. O'Hara, who has supervised organized-crime and drug investigations statewide since 1989, pleaded not guilty in Otsego County Court on Aug. 17. Prosecutors charge that O'Hara faked fingerprints in a 1986 double murder in Trout Creek, and tried to destroy evidence that linked him and another colleague to evidence-tampering five months ago. The scandal, which first surfaced last summer, has tainted more than 30 criminal cases. [See LEN, Dec. 15, 1992; March 31, 1993.]

Six out of 10 adult New Yorkers say it would not be difficult for them to obtain a gun if they wanted one, according to a New York Daily News/WNBC-TV/ Harris Poll conducted last month. The survey found that 83 percent favored stiffer gun laws.

A New York City police officer allegedly shot and killed his girlfriend as they argued in his Brooklyn apartment Aug. 23. Michael Garcia, 26, a two-year member of the force, was also charged with cocaine possession.

New York City Transit Police Officer Richard Cano filed a complaint with the Human Rights Commission charging he has been harassed by fellow officers and supervisors because he is gay. Cano said the harassment began when he was spotted in a newspaper photo taken at a AIDS vigil.

A 13-year-old Savona boy was arrested and charged with second-degree murder in the Aug 2 beating and strangulation death of 4-year-old Derrick Robie. Eric Smith will be tried as an adult for the crime.

Overtime costs for Buffalo police assigned to the recent World University Games added up to more than $460,000, including payments totaling $19,000 for two deputy commissioners not eligible for extra compensation. One Buffalo police captain was paid $12,144.41 for 250 hours of overtime logged during a five-week period.

The New York City Police Department will phase out its standard issue .38-caliber revolvers and replace them with 9mm. semiautomatics, Police Commissioner Raymond Kelly announced Aug. 21. Opponents of the switch said the weapons are too dangerous to use on crowded city streets.

PENNSYLVANIA — Gunmen jumped from a car and opened fire in a daytime ambush Aug. 5 that killed the brother of a Philadelphia mob underboss and wounded another alleged organized-crime figure. Police say the shooting is an escalation of a three-year power struggle within the Philadelphia and South Jersey mob.

VERMONT — Police are warning motorists to use caution during traffic stops, after a man posing as a police officer abducted a Florida couple on Interstate 91, driving them south for 100 miles before stealing a wallet containing a large amount of cash.

The state Supreme Court ruled last month that bars can be sued if patrons they serve are killed or injured as a result of their drinking.

ALABAMA — Houston County Sheriff's Deputy Mike Gilley, State Representative Nathan Mathis and Eunola Mayor Reuben Hughes pleaded not guilty last month to charges that they conspired to bring stolen vehicles into the state and sell them.

The state ethics commission is investigating claims that Marion Police Chief Henry Wright, who is also a Baptist minister, drives his car to paid preaching appearances. Wright claims he is on duty all the time and often returns the money he receives from churches.

ARKANSAS — A man who faked his own suicide may be billed for the time Pulaski County sheriff's deputies spent searching the Arkansas River for his body. Willie Menzies, 30, faked his own death Aug. 22, then returned home three days later.

El Dorado police Lieut. James Shannon says he will appeal his suspension and demotion for the handling of a drug raid in July. Shannon, and Sgt Keith Cooper, who resigned Aug. 26, were disciplined after four people complained the pair stopped them at gunpoint and strip-searched them. None of the four were arrested

FLORIDA — A seven-member task force assigned to hunt fugitives in the Jacksonville area will also investigate carjackings in Duval and Clay counties, officials said. Carjackings are occurring at a rate of about nine a week so far this year, compared to about three a week in 1992.

The state Supreme Court ruled last month that a doctor who examine a sexually abused child and is told the abuser's identity cannot automatically be barred from testifying about the disclosure. The ruling upheld a 1985 state law that requires a hearing to determine the testimony's reliability.

A veteran prosecutor stormed out of a West Palm Beach courthouse in tears Aug. 30, quitting his job and his role in the trial of two white men accused of abducting and setting afire a black tourist from New York. Assistant State Attorney Len Register walked out of the proceeding after his questioning was frequently interrupted by his boss and co-counsel, State Attorney Harry Lee Coe, who has taken over the case. Mark Kohut, 27, and Charles Rourk, 33, both of Lakeland, are charged with the attempted first-degree murder and kidnapping of Christopher Wilson on New Year's Day near Tampa.

Florida plans to segregate inmates in the final stages of AIDS in a separate prison facility near Orlando that is scheduled to open next summer.

GEORGIA — Atlanta police formed an anti-gang task force Aug. 17 after the torture-slayings of two girls, ages 13 and 15. The 15-year-old was tortured for more than a week because she wanted to leave a gang, police said. Alleged gang member Armand Dunnigan, 25, is in police custody.

The state parole board adopted Gov. Zell Miller's life-without-parole sentencing policy, but opponents say the "inhumane" policy will make state prisons unmanageable.

A Detroit drug gang member who escaped from Federal agents in New York City in June was found shot to death Aug. 9 in a hotel parking lot in College Park. Terrance (Boogaloo) Brown, 25, was a member of the Best Friends murder-for-hire gang linked to dozens of killings.

LOUISIANA — Shreveport police Cpl. Alvin Harvey was placed on paid administrative leave as officials investigate the shooting death of his wife, Sandra, on Aug. 14 Harvey's pistol was allegedly used in the killing, which occurred after an argument.

Among new state laws that went into effect Aug. 15 are provisions against carrying firearms on college campuses and a ban on flashing red lights on cars that could confuse them with police vehicles. Other measures bar police from jailing motorists for not having a driver's license in their possession, and make carjacking, drive-by shootings and looting specific crimes

Jeanerette Police Chief Ted Kahn resigned last month, blaming "power hungry radicals" for continued protests over the July 15 shooting death of a black robbery suspect. Kahn denied any wrongdoing in the incident.

MISSISSIPPI — Warren County Sheriff Paul Barrett has asked the FBI to investigate charges that a black family is being terrorized for moving into a predominantly white neighborhood. A stick of dynamite with a note was found near their Vicksburg home.

Pike County dedicated a memorial to slain law officers on Aug. 26, the first anniversary of the slaying of Deputy Sheriff Tommy Daughdrill. The officer was killed by a retarded 16-year-old boy who was later judged incompetent to stand trial.

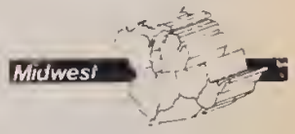
NORTH CAROLINA — Moonshining is increasingly popular in the state because of light penalties and tough economic times, state officials reported. Alcohol agents have made more arrests and seized more illegal liquor in the past three years than in the previous 15.

SOUTH CAROLINA — Hampton County Sheriff Rudy Loadholt was indicted last month on nine counts of sexual harassment and suspended from office by Gov. Carroll A. Campbell Jr. Three unidentified female workers complained he tried to undress, kiss and fondle them, but his attorney said the charges are false and politically motivated.

TENNESSEE — Security guards will continue to ride school buses in the wake of a $1.5-million budget cut that put 68 buses out of service and suspended service in areas within a mile or more of schools. Drivers have reportedly received threats of violence from angry parents.

VIRGINIA — A Federal and local task force investigating home invasion robberies carried out by Asian gangs has uncovered a network of a half-dozen brothels that cater to Asian men. Fourteen people were arrested last month on prostitution charges after a raid on an brothel in Springfield.

Richmond's chief prosecutor was acquitted Aug. 20 of charges he took a bribe to settle a rape case and gave part of the money to groups that could help him win re-election. Joseph D. Morrissey, 35, whose terms ends in three months, still faces trials on separate charges of perjury and misusing public funds. Morrissey was accused of taking $50,000 from a rape suspect in return for reducing criminal charges



INDIANA — Following a two-year investigation, Crawfordsville police arrested Bob Weatherford and his sons, Bob Jr. and Rick, for allegedly running a drug and theft operation in which utility tractors were stolen in seven counties, then resold in Kentucky.

Elvis Lacy, 21, was charged with drunken driving in the Aug. 17 hit-and-run traffic death of Indianapolis Police Officer Teresa Hawkins, 28. Hawkins was initially believed to be the first female officer in the state to die in the line of duty, but Ron Van Raalte, president of the Law Enforcement Memorial Association, later reported that two other female officers had previously died on the job, in 1980 and 1926

KENTUCKY — A Pikeville man filed a $100-million Federal lawsuit claiming he was beaten "twice as bad" as Rodney King by State Police officers and Johnson County Sheriff's deputies

during an Aug. 7 arrest. An internal investigation is said to be continuing.

OHIO — A correction guards' union has recommended adding staff and building another maximum-security prison to avoid episodes like the April riot at the Southern Ohio Correctional Facility at Lucasville that left nine inmates and one guard dead.

A 17-year veteran of the Cincinnati Police Department will appeal his firing for allegedly fondling two women he had pulled over for traffic stops, his attorney said Aug. 13. Officer David Fow, who was fired for "failure of good behavior" following a July 26 hearing, will seek reinstatement in an appeal to the Civil Service Commission, said Donald Hardin, the attorney for Fraternal Order of Police Lodge 69.

WEST VIRGINIA — The state chapter of the American Civil Liberties Union is suing Mingo County Prosecutor Glen Rutledge to stop him from distributing a list of 13 men repeatedly arrested for public intoxication.

WISCONSIN — Milwaukee Police Chief Philip Arreola said last month that all documents and photos were made available to the attorney for two officers who were fired over their handling of an encounter with serial killer Jeffrey Dahmer. Attorney Ken Murray had charged that the department withheld death photos taken by Dahmer of 14-year-old Konerak Sinthasomphone that would show the youth appeared to be older than 16. Former officers John Balcerzak and Joseph Gabrish were fired after they allowed Dahmer to take the naked fleeing youth back to his apartment, where the boy was later killed. The encounter occurred in May 1991, two months before Dahmer's crimes were discovered. Murray is seeking to have the officers' dismissals reversed in Circuit Court.

KANSAS — The man who stepped off a Federal courthouse elevator in Topeka, shooting and throwing homemade bombs in an Aug. 5 attack that killed a court security officer and injured five people, may have gotten off at the wrong floor and missed his intended targets, authorities said last month. Jack Gary McKnight, 37, was killed when a pipe bomb he was holding exploded on the fourth floor of U.S. District Court. Authorities believe McKnight, who was due to be sentenced on drug and weapons charges, meant to target the U.S. Attorney's office on the third floor of the building.

Twelve inmates at the Lansing Correctional Facility face charges in connection with a May 23 fight that left one security officer dead and another seriously injured. Eleven of the 12 face murder charges.

A newly formed, seven-member special enforcement unit that will pursue the state's parole violators will be armed with semiautomatic pistols and will wear bulletproof vests. The unit is attempting the cut the rate of parole violations from 10 percent to 3 percent.

MINNESOTA — Donald Polcyn, 42, of Moose Lake, was shot and killed by police last month after he killed Carlton County sheriff's deputy Ervid Clemons, 47, during a standoff outside his home.

MISSOURI — Five guards who worked at St. Louis County's Adult Correctional Institution at Gumbo were arrested last month and charged with exchanging drugs for stolen electronic equipment. Prosecuting Attorney Robert P. McCulloch said the guards arranged sales of crack cocaine, marijuana and other drugs to inmates and former inmates in exchange for stolen televisions, VCR's, stereos and other electronics. The inmates would give the items to the guards once they were released from jail, McCulloch said.

MONTANA — Helena police have launched an undercover effort to stop sales of beer and liquor to minors. They have been notifying liquor dealers for a month that volunteers from 18 to 20 years old will be trying to buy alcohol as part of the sting.

NEBRASKA — Ex-Nemaha County sheriff's deputy Ronald Caples, 35, was sentenced to eight years in prison last month after he pleaded guilty to selling drugs to an undercover officer.

An Omaha judge ordered a man convicted of drunken driving to carry photos of his 14-year-old victim's dead body for five years. Terrance Hughes, 47, must also spend 204 days in jail and speak out about the lives he ruined.

NORTH DAKOTA — Ground was broken last month for a memorial to police officers killed in the line of duty. The North Dakota Peace Officers Association said the monument, to be erected at the State Capitol in Bismarck, will have at least 47 names when it is completed this winter.

Handguns will be issued to North Dakota State University police in Fargo, but only after new policies, standards and training are drafted during the coming year.

SOUTH DAKOTA — A tougher curfew was to go into effect Sept. 6 in Winner that requires those under 18 to be off the streets between 10:30 P.M. and 6 A.M. on school nights, and from midnight to 6 A.M. on weekends.

WYOMING — Illegal hunters will pay stiffer fines and those who turn in poachers will get larger rewards this hunting season. Fines for illegal hunting jumped from $750 to $5,000-10,000. People who turn them in will get $1,000, twice the previous amount.

ARIZONA — As of Sept. 7, law enforcement officers will no longer be allowed to carry their weapons inside Maricopa County Superior Court, as part of a policy designed to keep guns away from angry defendants. Only officers assigned to guard the courts will remain armed.

Tucson police misused department computers to get personal information on citizens, including phone numbers and addresses to ask women for dates, according to officials and court documents.

COLORADO — Denver Mayor Wellington Webb canceled his nine-month-old veto of pay raises for police in a surprise announcement broadcast over police radios Aug. 21. City Council President Dave Doering says he'll sponsor a pay-raise bill.

Denver rolled out the red carpet — and an unprecedented security detail — for last month's visit by Pope John Paul II. The 465 members of the Arapaho Sheriff's Department assigned to the event were supplemented by 500 officers from nearby communities and 1,400 National Guard troops. At least 1,350 Denver police officers were deployed to cover the Pope's visit, which began Aug. 12, and another 700 Denver police were assigned to various events related to the papal visit.

TEXAS — A nine-grade dropout who was convicted of murdering a man during a 1984 was executed by lethal injection at the Huntsville state prison Aug. 24. Ruben Cantu, 26, became the 12th Texas inmate executed this year. On Aug. 20, a convicted killer who called himself "an African warrior" was executed by lethal injection. Carl Kelly, 34, was executed for the 1980 killings of Steven Pryor, a clerk at a Waco 7-Eleven store, and David Riley, who was outside the store.

Tougher DUI penalties took effect over the Labor Day weekend, including provisions that mandate jail time for first offenses, ignition interlock devices for three-time offenders, and a year's suspension of driving privileges for minors who refused to submit to alcohol tests.

Dallas police have resumed ticketing those who sleep on city streets, despite a recent Federal ruling that the enforcement practice is unconstitutional. The ACLU has threatened to file suit.

Off-duty Houston police Officer Rudolfo Colunga, 25, was shot to death last month during a domestic dispute, and his brother, Jesse Moreno, was killed a short time later by police called to the scene. Police said a woman was being held in Colunga's death, and that Moreno was shot after he pointed a gun at officers.

Authorities in Texas and Mexico are seeking ways to stem the tide of underage Americans who go to Mexico to party, then drive back drunk across the border. Training sessions will be held on how to spot phony ID's.

ALASKA — A woman who was maimed by a mail bomb that killed her husband has sued the state, saying the Corrections Department failed to control two inmates linked to the blast. A lawsuit filed by Michelle Kerr said department officials were warned that convicted killers Raymond Cheely and Douglas Gustafson had threatened to kill their enemies. The pair are accused of building a letter bomb that exploded in Kerr's home in 1991, severely injuring her and killing her husband, David.

State troopers have begun air and ground patrols along a stretch of the Seward Highway south of Anchorage, where 15 people have died in traffic-related accidents in the past 17 months.

CALIFORNIA — In a controversial speech Aug. 10, Gov. Pete Wilson called on the Federal Government to make funds available to hire more immigration and Border Patrol agents to stop the flow of illegal aliens. Wilson charged that the state is forced to cut aid to the needy, blind, disabled and elderly to comply with Federal mandates to provide services to illegal immigrants.

A Federal appeals court ruled that two Los Angeles police officers convicted in the videotaped beating of Rodney King may not be freed on bail while they appeal their convictions. Officer Laurence Powell and Sgt. Stacy Koon were sentenced to 2• years in prison last month for violating King's civil rights. Justice Department officials announced they may appeal the sentences, which many felt were too lenient. In related developments, The San Gabriel Valley Newspapers reported that Powell repeatedly struck another handcuffed man five months before King's March 1991 beating. He was given a severe reprimand by the Los Angeles Police Department for "serious misconduct" in the October 1990 beating of Danny Ramos. Koon was his supervisor in both incidents, the newspaper reported.

A San Diego jury on Aug. 17 recommended the death penalty for Cleophus Prince Jr., 26, who was convicted of the stabbing murders of six women and multiple rapes that terrorized the city in 1990.

Kmart officials removed 180 notebooks from a Burbank store that were stamped with a white supremacist message. The message reportedly said: "Earth's most endangered species. The white race. Help preserve it."

A Sacramento landlady charged with killing nine tenants at her boardinghouse for their government checks was convicted Aug. 26 of three counts of murder. The jury deadlocked on the remaining six counts of homicide against Dorothea Puente, 64, who faces the death penalty.

A man convicted of robbing and killing four elderly people and the strangling of a prison cellmate in 1982 was executed Aug. 24 in the San Quentin gas chamber. David Mason, 36, had rejected efforts to get a stay of execution in his case.

San Diego County Sheriff Jim Roache said a $13-million budget cut has resulted in a "bare bones" budget that will require the layoffs of an as-yet-undetermined number of the agency's 1,200 deputies. "If they're not already nervous, I don't know what they've been smokin'," Roache said of his employees. He said the cuts in his $149.8-million budget are the most severe in the department's history.

Federal authorities in San Francisco said Aug. 15 they had cracked the nation's biggest illegal sports betting ring with the indictments of 26 people in California and the Dominican Republic. Those indicted represented five major syndicates that ran high-tech betting operations on horse racing, college and professional football, basketball, baseball, hockey and other sports.

San Francisco Mayor Frank Jordan ordered officials to get to the bottom of an escape by 11 teens from the Youth Guidance Center on Aug. 20. Six of the teens were awaiting hearings on murder and attempted murder charges, and some of them remain at large.

A group of inmates serving time for minor crimes at the Elmwood Correctional Facility in Milpitas are volunteering their recreation time to read books that are tape-recorded and distributed by a San Francisco organization for the blind. All five readers are peer tutors with the facility's literacy program.

A Federal judge in Los Angeles on Aug. 20 dismissed a civil rights lawsuit filed by relatives of millionaire Donald Scott, 61, who was killed Oct. 2 during a drug raid by Federal agents at his Malibu ranch. Scott's wife had claimed the raid was made by overzealous Federal law enforcement agencies hoping to seize Scott's land. No drugs were found during the raid.

HAWAII — Only one arrest was made in the state during the recent nationwide manhunt of fugitives, known as Operation Trident, that was said to be among the most successful in law enforcement history. U.S. Marshals nabbed a Colorado fugitive wanted in connection with three counts of sexually assaulting a minor. He was returned to Colorado to face the charges.

An audit on the construction of the Honolulu Police Department's headquarters has concluded that city officials mismanaged the project, causing an 18-month delay and cost overruns of up to $30 million. City Building Department director Herbert Muraoka denied any mismanagement of the project.

WASHINGTON — Motorists arrested for drunken driving face a less than 4-in-10 chance of being convicted, The Seattle Times reported last month. The state's 38-percent conviction rate may be the lowest in the nation, said the paper, which added that many cases are plea-bargained because of heavy caseloads.

A 14-year-old Yakima boy pleaded guilty last month to murdering a family of four. Joel Ramos will serve at least 68 years for killing Michael and Lynn Skelton, both 34, and their sons, ages 12 and 6. Authorities said Ramos committed the murders to impress members of a gang he hoped to join.

Law Enforcement News:
Without it,
you're not fully
equipped
for the job.

Happy medium

A former National Rifle Association member who says he and other gun owners are fed up with the NRA's intractable stance against gun control legislation last month formed a new gun rights group that will lobby for "common sense" measures to stem the proliferation of firearms.

Ernest Lissabet, who is a park ranger foreman in Arlington County, Va., announced the formation of the American Firearms Association at a news conference in Washington on Aug. 16. Lissabet, who quit the NRA in 1988 after being a member for eight years, said that since the announcement the group has signed up over 35 members, which he concedes is minuscule compared to the NRA's estimated 3.2 million members.

Among those who have expressed interest are police officers who Lissabet said "are really turned on by the idea of being able to reconcile common-sense gun-control legislation with the Second Amendment" — one of the group's main goals. "We are a gun advocacy organization," Lissabet told LEN. "We promote the acquisition and use of sporting firearms."

Among the group's current members are several former NRA members, who, like Lissabet became disaffected by what he terms the NRA's "slippery slope theory," which he summarized as, "If you give the gun-control lobby an inch, they're going to take a mile, and then confiscate our guns."

"We're all men and women who can think for ourselves and we just reached the point where that just didn't make any damned sense to us anymore," he said. "We see a need to try to gain control over the proliferation of dangerous weaponry, specifically these assault rifles that are out there. It doesn't do any damned good to have law enforcement officers who are being outgunned. By the same token, we support some reasonable restrictions and qualifications on handguns as well."

Among the measures the AFA supports is the Brady bill, which calls for a national five-day waiting period on the purchase of handguns to allow police to conduct a background check of the buyer. Lissabet said that a resolution in support of the measure will be approved at an upcoming meeting of the AFA's board of directors. In addition, the board will likely approve a resolution in support of a Senate bill that would freeze the sale of assault weapons.

The seeds for the organization were planted about three years ago when Lissabet and others began asking themselves why there were no gun rights groups willing to publicly support some gun control measures. "There are some good gun organizations out there," he said. "But when they open their mouths, out come the words of the NRA. That's not what we were after. Our hope is to establish a permanent rival to the National Rifle Association. They've let gun owners down."

Another factor were the surveys published this year that purported to show strong support among some of the nation's 65 million gun owners for some gun control measures. [See LEN, June 15, 1993.] "They're not listening to what gun owners are saying," Lissabet said of the NRA. "When 35 million gun owners are saying that it's time for some common-sense gun control legislation, and the NRA continues to oppose every piece of legislation that comes along, then clearly they're out of step with the people they claim to represent."

Lissabet recently took part in a televised debate in Washington with **Richard Gardiner**, the NRA's legislative counsel. Contacted by LEN, Gardiner said the AFA poses no threat to the NRA's position of primacy among pro-gun groups. If anything, he said, the upstart AFA might cut into the membership of Handgun Control Inc., one of the leading gun-control groups.

"The platform that they're supporting is more restrictive than Handgun Control's, so obviously they're just another gun control group, despite what they call themselves. I'm sure they won't have any impact on us," Gardiner said.

Susan Whitmore, a spokeswoman for Handgun Control, said the organization welcomed the formation of the AFA. "They're going to be an interesting and important voice in the debate. They will fill a void when you consider that poll after poll has shown the NRA is not speaking for gun owners."

[For more information about the American Firearms Association, call 1-800-590-4749.]

Shooting hoops, not each other

New midnight basketball league fosters crime dip, good will

Since its first tip-off about a year ago, a midnight basketball league in Beloit, Wis., is credited with keeping crime down and fostering good will, citizenship and improved attitudes among the young men and women who participate in the program.

While the idea is not new — the Chicago Housing Authority has sponsored a similar program since 1990, patterning its program after one begun in Glenarden, Md., and scores of others have started up since — the success of Beloit's league has caused state and local officials to take notice. [See LEN, Feb. 28, 1990.]

Recently, the Beloit Midnight Basketball League received recognition from the state's Law Enforcement Training and Standards Board, which is using its clout to lobby state officials for funding that will enable programs to start up in other Wisconsin cities. The board's director, **Dennis Hansen**, said that such leagues could be part of the state's ongoing crime-prevention campaign.

"With assistance from the Department of Justice, we are looking at passing along its value to other [police] departments, cities, through publications, meetings we sponsor, and training sessions nationwide," he told The Beloit Shopping News, a twice-weekly newspaper. "It's a new idea and I think the success of it in Beloit is certainly impressive."

The league, which also tries to impart an anti-drug message to its players, has also received kudos from the Alliance for a Drug-Free Wisconsin, which recently highlighted the program in its latest brochure. The group plans to distribute about 10,000 brochures.

Beloit police Capt. **Charles Tubbs**, an energetic, community-minded cop who serves as the league's commissioner, told The Shopping News that the program has been successful in transforming the "negative energy" of its participants into "a chance to use this energy in a positive way on the court and in the classroom, instead of on the street."

"Our league is responsible for taking approximately 200 to 300 young people off the streets between 9:30 P.M. and 2:30 A.M., which are high-crime times in any community," he added. "Prior to this program, many of these young people were on the streets involved in too much idle time."

Integral to the program are the after-game seminars that focus on the youths' everyday issues and concerns. For their part, players pledge to show up at the games on time, follow game rules and be considerate and sportmanslike on the court. Violations can result in immediate suspension, but only four players have been penalized in the past year, said Tubbs.

"There were no fights, attempted fights or swearing," he said. "One player was even recognized for his most improved attitude."

Tubbs noted that the rewards go far beyond just winning hotly contested games on the court. At least four players are expected to receive college scholarships, while others have begun to earn their GED's. Others have become involved in community service, and at least 40 players have gained full- or part-time employment as a result of their participation.

The Beloit league has even earned a nod from the national Midnight Basketball League commissioner, **Gil Walker**, who has visited Beloit several times to see the program in action. "He's watched our program grow and seen the dedication come together in support of the league and the people," said Tubbs. "He has said a tremendous thing is going on here in the community, and that we're running one of the most successful programs in the nation."

Congress may soon jump into the game, by providing funding that would make individual leagues eligible for grants of up to $130,000 over a five-year period. Senator **Carol Moseley-Braun** of Illinois and Representative **Patricia Schroeder** of Colorado have proposed funding the program to the tune of $6 million, giving individual leagues grants ranging from $55,000 to $130,000 over a five-year period.

Because the program is so popular among Beloit youths, there is now a waiting list of those 16 and under wanting to play in the league once they turn 17. "The future of our program is very good," Tubbs said. "There's tremendous support, and what's more important is that the players see the future."

The FBI chronicles

The second-ranking official in the New York City Police Department has resigned from his post to become an assistant director of the FBI, a move that makes him the highest-ranking black man in an agency that has been rent by charges of discrimination during much of its 70-year history.

John S. Pritchard 3d, whose résumé includes 11 years with the FBI, will step down as First Deputy Police Commissioner at the end of October to become one of the bureau's 12 assistant directors, NYPD officials confirmed Sept. 1. Pritchard, 50, will reportedly serve in a newly defined role as liaison between the FBI and state and local law enforcement.

But a day after FBI Director **Louis Freeh**'s swearing-in ceremony on Sept. 1, the FBI was not yet confirming Pritchard's appointment. FBI spokeswoman **Donnita Clark** told LEN that Freeh had issued a statement that said he and Pritchard were discussing "common interests." She added that the bureau's Deputy Director, **Floyd I. Clarke**, will remain in that post.

Pritchard, who served as a New York City police officer from 1965 to 1976, was chosen as the NYPD's number-two official last year by Police Commissioner **Raymond W. Kelly**, and was given responsibility for management, personnel and labor matters. Pritchard was also charged with rooting out internal corruption following the "coke cops" scandal that erupted last summer when six officers were arrested by Suffolk County, N.Y., police for drug trafficking. Those duties were transferred from Pritchard in May to a new civilian deputy commissioner for internal affairs. [See LEN, June 30, 1992; May 15, 1993.]

As a New York City police officer, Pritchard was one of the first members of the department's major-case squad, which targets terrorists and cop killers. He left the department at the rank of detective to join the FBI in 1976, where he met Freeh. Together, they worked on a three-year investigation of corruption in the longshoremen's union that ended with the conviction of several union officials.

In 1987, New York Gov. **Mario Cuomo** appointed Pritchard as New York State Tax Commissioner, then as Inspector General of the Metropolitan Transportation Authority.

Pritchard, who is the current president of the National Organization of Black Law Enforcement Executives, will work in an FBI still dominated by white males despite the attempts by former Director **William S. Sessions** to address charges of discrimination made by black and Latino members in recent lawsuits. At the end of 1992, there were 523 black and 624 Latino agents, out of a total of 10,479 agents. Recently, a group of white agents filed a lawsuit claiming reverse discrimination because of the attempts made to placate minority agents.

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No cornball idea:

Alcohol-fueled cop car is one for the road

The Sioux Falls, S.D., Police Department has deployed what is believed to be the nation's first patrol car powered by an alcohol-based fuel derived largely from corn.

The 1993 Chevrolet Lumina runs on E85, a fuel that is 85-percent ethanol and 15-percent gasoline content, but the vehicle can also run on regular gasoline. Early reports from the field indicate that the car is just as capable of withstanding the rigors of police driving as cars fueled with regular gasoline, according to Trevor Guthmiller, the marketing director of the South Dakota Corn Growers Association, which purchased the car and leased it to the Police Department for two years.

The car hit the streets for the first time last month, said Ralph Brown, the department's fleet manager, who said it was too early to tell how well it performs. "We're waiting for the winter to hit and see how it handles before we evaluate it," he told LEN. The department will keep detailed records regarding the vehicle's use and performance in order to compare it to the agency's gasoline-powered vehicles

But Guthmiller said officers have told him that the vehicle, which is on the road 16 hours a day, six days a week, has performed "remarkably."

"The officers love it," he said. "It's the first time that this has been tried under these circumstances. This amount and type of usage [by police] really puts it to the test."

Police Chief Terry Satterlee said the car will be used as part of the department's DUI enforcement program. "The message we are trying to show with this project is that cars should run on alcohol, but drivers shouldn't," he said.

The South Dakota Corn Growers Association was one of the first groups in the nation to call on American automakers to produce vehicles that can run on high-blend ethanol fuels, which also dramatically reduces pollutants and other harmful emissions, Guthmiller said. The group purchased the car with a grant from the South Dakota Corn Utilization Council. "We're trying to promote the E85 as an alternative-fuels vehicle. . . One of the prime ways to show that is to demonstrate it out there in the field," he said.

SDCUC president Ron Alverson said, "We figure if we can show people that an E85 can handle police work, it can pretty much handle anything."

Guthmiller said the association has fielded several queries from South Dakota law enforcement agencies about the car, and he expects some of them to acquire E85-fueled vehicles for their fleets.

AS CORNY AS KANSAS IN AUGUST: Sioux Falls Police Commissioner Craig Steensland (l.) and Lieut. Steve Nyhaug prepare to take "Corn II," the Police Department's ethanol-powered patrol car, for a spin.
(Photo: South Dakota Corn Growers Association.)

Who pays the tab?

In California booking-fee battle, inmates get stuck with the bill

As officials in scores of California cities await the outcome of a legal challenge against fees charged for booking criminal suspects into county-run jails, those in at least three cities in San Diego County are trying another tack to avoid paying the hefty costs — by passing them on to the prisoners.

On Aug. 19, Chula Vista enacted an ordinance that asks San Diego County judges to order payment of a $154 "criminal justice administration fee" from any person arrested by Chula Vista police officers and convicted of any criminal offense related to the arrest.

Chula Vista is one of 17 cities that are plaintiffs in a lawsuit filed two years ago against San Diego County challenging the legality of the fees, which were approved by the state Legislature in 1990 to give counties various means to make up for the loss of state funds.

The fees have had the added effect of saddling the cities with unneeded expenses, and many have simply refused to pay. They have also run up debts to the county that range from hundreds of thousands to millions of dollars. Those in San Diego County, which began billing the cities in April 1991, have racked up $20 million in back fees.

Since then, scores of municipalities statewide have joined the legal challenge mounted by their counterparts in San Diego County, even though a Sacramento judge last year upheld the law.

The ordinance, which is similar to those recently approved in El Cajon and National City, requests judges to order convicted criminals to pay the charges as a fine or as a condition of probation. The payments would be placed in a county-administered trust fund until the legal dispute is resolved.

George Eiler 3d, the National City municipal attorney who drafted an ordinance used by some of the other municipalities as a model, said the same series of government code sections that imposed the booking fees also authorizes judges to impose them as a sentence or condition of probation.

Because of the pending litigation, Eiler told LEN, judges have been reluctant to pass the fees on to convicted criminals. "What we're trying to do with the ordinances is have the fees collected and paid into a trust fund which the cities will then have access to when the litigation is resolved," he said.

If the lawsuit is settled in favor of the county, many cities will have to dig deep into their fiscal pockets to pay the past-due fees. The San Diego Union-Tribune reported last month that Chula Vista would owe the county more than $300,000 a year. Oceanside would have to pay up to $1 million, while San Diego might have to pay $6 million.

Eiler said county officials have been generally supportive of the move to pass the fees to prisoners. "There's no reason for them not to want the cities to recover the fees from the arrested persons," he said. "It's a hardship in a lot of cities, including here, where we're spending $400,000 [a year] on booking fees. We're having problems from a financial standpoint as it is, and that's just making it worse."

LEN was unable to reach Chula Vista City Attorney Bruce Boogaard for comment, but he told The Union-Tribune that fee collection from prisoners would begin this month. If the law that imposed the fees is overturned, he said, prisoners would receive rebates.

Boogaard added that he is hoping for a 60-percent collection rate, which would yield about $180,000 a year. "If it's a condition of probation and people want to stay out of jail, we'll probably have the same ratio of recovery as for other fines," he said.

Preventing youth violence: for best results, start early

Study suggests that after age 8, it may be too late

Efforts to stem the burgeoning problem of violence committed by and against American youths should be undertaken at an early age, especially from 4 to 8, before the aggressive patterns that develop into violent behavior are fixed, according to a study released last month by the American Psychological Association.

"Prevention programs directed early in life can reduce factors that increase risk for antisocial behavior and clinical dysfunction in childhood and adolescence," said the report, titled "Violence and Youth: Psychology's Response."

The report said community policing programs can play a "pivotal role" in reducing the surge in youth violence. "Although the effect of community policing on youth violence has not yet been evaluated, community policing is believed to have great potential, making the officer's role one of preventing problems, not just responding to them," the report stated.

Among other programs that the report cited as effective in reducing youth violence are:

¶ "Home visitor" programs for at-risk families, including pre- and post-natal counseling and continued contact with the family and child during the child's first few years of life. The report said that in a 20-year follow-up study of such programs, "positive effects could be seen both for the at-risk child and for the mother."

¶ Preschool programs that "address diverse intellectual, emotional, and social needs and the development of cognitive and decision-making processes."

"Children who begin to show aggressive behavior early require prompt intervention," the report said. "The greatest future predictor of violent behavior is a previous history of violence. Without systematic and effective intervention, early aggression commonly will escalate into later violence and broaden into other antisocial behavior."

The study recommended that Congress ask all "relevant Federal agencies" to identify and report on successful or promising intervention programs, and provide funding for such programs through state block grant programs. It also asked Congress to encourage Federally supported efforts to develop and implement violence-reduction programs, especially those in schools, which the report said could be a "leading force" in teaching children how to reduce violent behavior

> *"Children who begin to show aggressive behavior early require prompt intervention. Without systematic and effective intervention, early aggression commonly will escalate into later violence and broaden into other antisocial behavior."*

"Heightened awareness of cultural diversity" should be a component of violence-reduction programs, the report noted, in light of statistics showing that minority, gay and lesbian and disabled youths face a higher risk of becoming victims of violence committed by their peers. Overall, the report said, all American youth are threatened by violence, with teen-agers two and a half times more likely to be victims of violent crimes than those over age 20.

The APA recommended that police departments implement or expand efforts that entail social and cultural sensitivity training. It added that community members be included in those efforts and that "human relations training for community leaders and police be conducted jointly."

Noting that easy access to firearms has escalated the levels of violence among youth in the past decade, the report said that "major reductions in the most damaging forms of youth violence" could be achieved by limiting the availability of firearms and by teaching children and youth how to prevent firearm violence.

"Although national debates about adult access to guns continue, few would advocate that children and youth should have easy access to guns," the report said. "Nevertheless, children and youth in America generally have widespread, easy and unsupervised access to firearms, exposure to media portrayals that glorify violence, and little opportunity to learn how to prevent firearms violence. Without society-wide restrictions, it will not be possible to effectively restrict youth access to firearms."

The APA also asked that the Justice Department and the U.S. Public Health Service improve their systems of data collection so that a more precise measure of the problem can be achieved "We urge the U.S. Department of Justice to make further attempts to reconcile and explain the differences between its two major data sets, the Uniform Crime Reporting Program and the National Crime Victimization Survey," the APA said.

While television and other media "contribute to children's and youths' involvement with violence as aggressors, victims and bystanders," the report said that the development of "critical viewing skills" could mitigate such effects. "[E]vidence indicates that television is an effective and pervasive teacher of children and youth that has the potential. . .to make a major contribution to solving the violence problem, rather than contributing to it."

Church:

Guarding against lingering job bias

By Jeffrey Church

¶ A police chief in a small town asks a female applicant about her birth control practices, as he doesn't want to hire an officer who will be leaving soon

¶ A big-city lieutenant disregards seniority practices and assigns a black officer to the swing shift in a predominantly black section of town because of his race.

¶ An administrator of a state law enforcement agency fires an investigator when she becomes pregnant, saying she can't do her job, but he invites her to reapply and be considered for rehiring later.

Sound far-fetched today, like some horror stories from the past? Certainly, but yet on a regular basis I hear incredible stories from National Guard personnel and military reservists who are discriminated against by their employers in violation of state and Federal laws. Such administrators leave themselves personally vulnerable to civil lawsuits and in some states may actually be guilty of criminal violations. Understanding the law will give the administrator better knowledge of his or her rights and responsibilities.

On the surface, to an administrator faced with limited staffing and a shrinking budget, these laws may seem unfairly restrictive. Remember, however, that these men and women who serve in the state National Guard or military Reserve are providing a valuable service at about one-fifth the cost of their active-duty counterparts. They obtain valuable training and experience often not available to many agencies. Most agencies receive, either directly or indirectly, thousands of dollars in Federal assistance. The National Guard is available to local governments not only in state emergencies but often on a regular basis with specialized equipment or training.

To protect these servicemen and women, Congress has enacted laws found in sections 2021-2026 of U.S.C. Title 38 Various court cases have upheld these laws.

Most recently, the so-called "reasonableness doctrine" used by some employers was shot down by the U.S Supreme Court in King v. St Vincent's Hospital (opinion #90-889). If the member has orders, he or she must be released with no time limit for Guard or Reserve duty.

The City of Reno lost a 1990 lawsuit on this issue costing the city thousands of dollars in damages, sanctions, attorneys' fees, court costs and a damaged community image. The new Police Chief has since been highly supportive of the Guard and Reserve.

It is also worth noting that the Senate is studying a bill passed by the House that would incorporate and clarify the various laws and decisions. Basically, these laws provide that members must be granted leave to attend military duty. It doesn't matter if the military duty is required or voluntary on the part of the member, such as to attend a school, exercise, etc.

Employers often deny "requests" for military duty based on agency staffing, short notice from the member, the fact that it is unpaid military orders or a voluntary assignment, or that it extends beyond the customary "two-week summer camp," etc. These denials will not hold up; the employee must be granted leave

A second common area of dispute is the seniority principle. Members must be returned to duty "with such seniority, status, pay and vacation as such employee would have had if such employee had not been absent for such purposes." Does this mean they must be paid for time away? Not under Federal law, but state laws and labor contracts often contain provisions for this. It usually means, however, that pay raises may not be delayed for members based on their absences, nor may the member be removed from the retirement system. Is this double dipping? Perhaps, but it's not as if they are attending outlaw biker meetings. Moreover, just think of the training benefits received in return.

When conducting research, be sure to look at state laws and Civil Service rules, but remember that these cannot take away rights granted under Federal law.

A third major area of friction is that members may not be discriminated against or treated differently based on the military assignment. For example, they can't be administratively assigned to a shift or position because of their military duty. Law enforcement is a 24-hour-a-day job. As most members do their "drill" on weekends, it would be logical to assign the officer to a Monday-to-Friday position so he or she doesn't miss work. This can't be done against his or her will if it is done because of their military duty. Likewise, the member cannot force you to adjust his or her schedule so that they get a 40-hour week. Schedules can often be flexed to the mutual benefit of both administrator and member, but neither can force schedule changes upon the other.

Even when no increase in pay is involved, members may not be denied jobs, such as investigator positions, if it is a result of their military duty. Asking questions about military time off or say members "might be gone when needed" leave the administrator wide open to repercussions. It's fine to discuss one's military experience and training, but stay away from discriminating remarks.

Where conflicts or questions do arise, the Department of Defense has an office to answer your questions. The Committee for Employer Support of the Guard and Reserve can be reached at (800) 336-4590. For state issues you may also want to contact the Judge Advocate General (JAG) at your state National Guard headquarters.

What can an administrator do? Work with the Guard/Reserve member to arrive at an arrangement agreeable to all. If you have questions, call the 800 number provided. Don't discriminate or make discriminatory remarks. Develop a written policy so that mid-level managers don't make mistakes leading to liability. Ask the member to investigate what training may be available to the member or to the department as a whole from the Guard/Reserve. The Guard/Reserve may often be willing to loan equipment, provide transportation, grants, training, facilities or other services free of charge.

The City of Reno is in the process of obtaining a drug dog at no charge from the Guard. The city has also obtained free use of training facilities, printing of DARE books, loaned equipment, etc. Work with your local Guard or Reserve and consider asking your department member to act as a liaison.

Members of the Guard and Reserve provide a needed and patriotic service to their community and nation and save the taxpayers millions of dollars in the process. Government employers receive various benefits in return from the Federal Government. To protect these members, various state and Federal laws exist. These laws provide that members must be released for duty, whether voluntary or not. They may not be docked seniority or other advantages of employment and may not be discriminated against.

Employers are cautioned that failing to follow these laws could open them to civil or even criminal penalties. When in doubt, contact your appropriate legal adviser or the Employer Support Committee.

(Jeffrey Church is a sergeant with the Reno, Nev., Police Department, and a major in the U.S. Air Force Reserve, with service in Operations Desert Storm and Just Cause. The opinions expressed herein are those of the author, and do not necessarily reflect the views of the Reno Police Department, the Department of Defense or the Air Force Reserve. Sergeant Church welcomes inquiries, and for a sample written policy may be contacted at P.O. Box 1801, Reno, NV 89505. Telephone: (702) 348-4444.)

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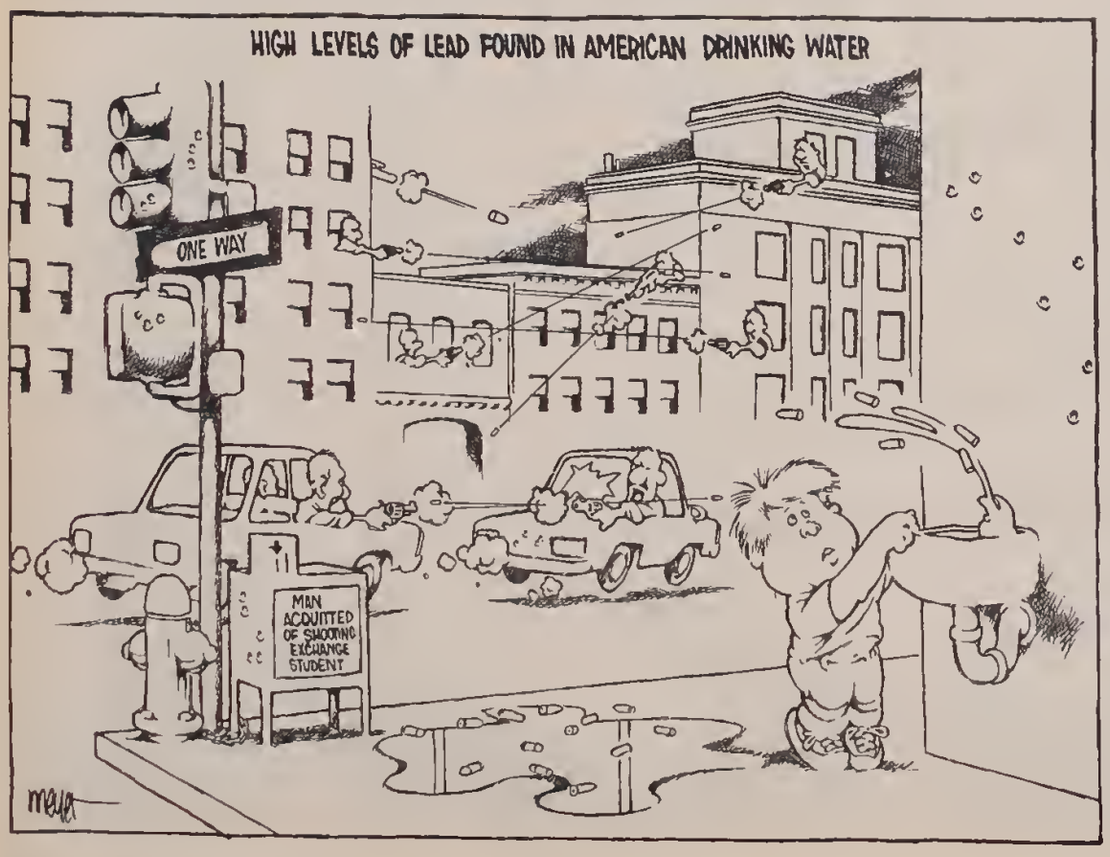

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Three cheers (and a few shrugs) for Clinton's crime bill

Like most other law enforcement leaders I've talked with, Johnny L. Hughes of the National Troopers Coalition gave a qualified cheer for the

BURDEN'S BEAT
By Ordway P. Burden

Clinton Administration's anti-crime package. He welcomed the plan to spend $3.4 billion over five years to pay for 50,000 new state and local police officers, tighten the process of habeas corpus petitions for convicts, and adopt the Brady bill, which calls for a five-day waiting period on handgun purchases

Major Hughes, who heads the Aviation Division of the Maryland State Police, is chairman of the Legislative and Congressional Affairs Committee of the troopers coalition. The Administration's package, he said, touched on three of the coalition's four legislative priorities — habeas corpus reform, the Brady bill, more funding for state and local law enforcement, and exclusionary rule reform. Only reform of the exclusionary rule, which forbids Federal courts from considering illegally-gathered evidence, even if the officer acted in good faith, is not included in the proposed legislation.

"We like the time limit on habeas petitions," Hughes said. "That meets our objections because we feel there are a lot of frivolous appeals now. They go on for years, and that should not be the case."

As to the proposal to add 50,000 officers to state and local agencies, Hughes said, "The National Troopers strongly support the concept of providing grants to place additional officers on the streets, but the program outlined by President Clinton raises questions." The main question, he said, is how the money will be allocated. He pointed out that state police and state highway patrols serve many sparsely populated areas, and if the Federal money is allocated on a population basis, they may be shortchanged in comparison with urban departments.

"Our concern is that state police and highway patrols should be given equal access to grant funds with law enforcement agencies in metropolitan areas," Hughes said.

The National Troopers Coalition, like many other law enforcement organizations, is much less enthusiastic than President Clinton about the Police Corps idea, which is in the Administration's bill. The anticrime bill calls for spending $100 million over four years to give college scholarships and police training to 5,000 students if they make a commitment to serve four years in a police agency after graduation.

"We're afraid it would be a revolving door," Hughes said. "We don't think we'll get the kind of career people we're looking for. I think it will cost the government more in the long run to have a revolving door

"Another downside to the Police Corps idea is that we have troopers on the job now who want to go to school and can't afford it," Hughes noted. "Why not make some of the Police Corps money available to people who are already involved in police work?"

Why not indeed?

The troopers coalition thinks that if the Police Corps is adopted, police agencies ought to have a hand in selecting the students to get scholarships "We'd like to see police agencies more directly involved because they're looking for career-oriented employees," he said. In addition, the police would want to weed out students with psychological problems, felony records, and other disqualifying traits, just as they do now with potential recruits

Hughes said the National Troopers Coalition applauds the plan to convert some closed military bases and other Federal facilities into boot camps where young offenders might learn self-discipline and other virtues in lieu of going to jail. "We've had them in Maryland for four years now, and they work very well," he said

The anticrime package is similar in most respects to the bill that foundered last year. It failed in 1992 largely on habeas corpus reform problems, but the new legislation compromises the issue by limiting habeas appeals in Federal courts while ensuring that defendants get competent counsel for their allowed appeals.

If there is a sticky wicket in this year's anticrime package, it is probably that bane of the National Rifle Association, the Brady bill. The NRA promises to continue its opposition to any restrictions on handguns. The Brady bill also is threatened with a filibuster by Senate Republicans.

"I was glad to see the Brady bill included in the package," Major Hughes said. "In Maryland we've had a seven-day waiting period on handgun purchases since 1976, and it's worked very well."

Johnny L. Hughes has been a friend of this writer for many years. He is the kind of police executive who attracted me to the law enforcement field. He's knowledgeable, enthusiastic and dedicated. He has been with the 1,700-member Maryland State Police for 24 years, is a former president of the Maryland Troopers Association and has served on many task forces and advisory councils appointed by Maryland Gov William Donald Schaefer

As a change of pace from his regular duties, Johnny Hughes often assists John Walsh, the host of the TV show "America's Most Wanted."

"John Walsh gets threats on his life, for the good he does," Hughes explained. "So sometimes I'll function as a bodyguard." Hughes also helps with the investigation of letters to Walsh from fanatics and with arranging police protection for him when the show is being filmed in a high-crime area of some city.

(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 10954-3845. Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article.)

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Federal File

A roundup of criminal justice developments at the Federal level.

Bureau of Justice Statistics

¶ The more than 17,000 state and local police and sheriffs' departments nationwide employed 840,647 full-time employees as of June 30, 1992, BJS reported in July. Of the total, 603,465 men and women — or 72 percent — served as sworn officers, and 237,182 were non-sworn civilian employees. The five largest agencies are: the New York City Police Department (28,812 sworn employees); the Chicago Police Department (12,605); the Los Angeles County Sheriff's Department (7,960); the Los Angeles Police Department (7,900), and the Philadelphia Police Department (7,900).

Centers for Disease Control

¶ Suicide and homicide rates for children between the ages of 10 and 14 have climbed substantially in the last decade, according to a recent report by the CDC. Between 1979 and 1988, the last year for which complete national figures are available, the suicide rate for children in the 10-14 age group increased 75 percent, while the murder rate for the same group rose by nearly 42 percent. The report was released June 18, just three days after a 6-year-old Florida girl stepped in front of a moving train to become the youngest U.S. suicide victim on record.

Federal Bureau of Investigation

¶ As expected, FBI Director-designate Louis Freeh won easy confirmation from the Senate on Aug. 6. He becomes the fifth director in the bureau's 70-year history.

Drug Enforcement Administration

¶ A Federal administrative judge has ordered the reinstatement of a DEA agent whose firing was part of a purge of the New York field office's most controversial enforcement unit that was prompted by charges of misconduct leveled by rogue confidential informants. Judge Sean Walsh of the Merit Systems Protection Board ruled that Special Agent Michael Grabowski, 36, is entitled to back pay and immediate reinstatement. Walsh raised questions about a three-year investigation of the now-dismantled Group 33, in which Federal administrators tried to fire three agents and discipline at least two others on misconduct charges. Special Agent in Charge Robert Bryden reportedly made the dismantling of the group a priority, even though it amassed an unrivaled record of arrests, in an apparent belief that it was overly aggressive and cut legal corners to make cases. "This was a witch hunt, and it backfired," said Walsh, in ordering Grabowski's reinstatement.

U.S. Marshals Service

¶ Nearly 6,000 of America's most wanted criminals were rounded up by Federal authorities in a nine-week manhunt that was said to be the most extensive ever undertaken, U.S. Marshals Service officials announced July 8. "These are the worst folks we could find," said Henry Hudson, the USMS director. Operation Trident netted a total of 5,788 suspects — wanted in 299 murders, 398 sex crimes, 1,107 other violent crimes and 1,744 drug offenses. The search for more suspects will continue in 23 cities until the end of the year.

¶ Tampa, Fla., Police Chief Eduardo Gonzalez was nominated by President Clinton on June 25 to become director of the USMS. Gonzalez, 51, is a 20-year veteran of the Metro-Dade, Fla., Police Department, who left in 1992 to become chief of the Tampa Police Department. His nomination must be approved by the Senate, where the Judiciary Committee was due to begin hearings the week of Sept. 13. He would replace Henry Hudson, who was appointed by the Bush Administration.

Nuclear Regulatory Commission

¶ In an action prompted by the February terrorist attack on New York City's World Trade Center, the NRC has approved a rule that would require operators of civilian power plants to reinforce fences in the immediate area of reactors to prevent trucks from crashing through. The commission, which issued the directive on June 30, said that in most cases fences are far enough away from reactors that a bomb detonated near a fence would not damage equipment needed to control radioactive material. In about dozen plants, however, fences are constructed too close to reactors, the agency said.

U.S. Postal Service

¶ Citing 34 deaths from a wave of shootings over the past 10 years, the Postal Service disclosed it is conducting an extensive study to determine what type of employee is most prone to violence. Officials said they hope the study will yield a psychological profile of up to 10 traits that could be used to identify potential gunmen among the agency's 700,000 employees, who constitute the nation's largest civilian workforce. Some critics of the study say it could be used to scapegoat certain groups of employees and job applicants. Others say the Postal Service should be looking into ways to improve a high-pressured, authoritarian work environment that fosters emotional instability that can lead to violence.

State Department

¶ Secretary of State Warren Christopher said the Clinton Administration has promised Mexico it will not engage in any kidnappings of Mexican citizens suspected of criminal activity while the two nations negotiate an agreement that would ban the practice. The issue has caused a rift in relations between the two countries that intensified in 1990 when a Mexican doctor under Federal indictment in the kidnapping and torture-slaying of Drug Enforcement Administration agent Enrique Camarena Salazar was abducted and brought to the United States to stand trial. The U.S. Supreme Court later upheld the action. Christopher said negotiations are also underway to make it easier for the United States to legally extradite Mexican citizens accused of crimes in the United States.

U.S. Supreme Court

¶ Ruth Bader Ginsburg was sworn in as an Associate Justice of the Supreme Court on Aug. 10, becoming only the second woman in U.S. history to serve in that capacity. Ginsburg, a 60-year-old former U.S. appellate judge, is the first Justice to be named by a Democratic president since Thurgood Marshall was appointed by President Lyndon Johnson in 1967.

The White House

¶ President Clinton on July 27 asked Congress for more funding and new legal tools to crack down on the smuggling of aliens and to prevent those who participate in criminal or terrorist acts from entering the country. The plan calls for new laws to expedite the deportation of undocumented aliens with "no credible claims for political asylum," and would allow for the use of racketeering laws against gangs that operate alien smuggling rings. The proposal also asks for $172.5 million to add up to 600 new Border Patrol agents, enhance the State Department's "lookout" system which lists foreign criminals and suspected terrorists, expand pre-inspections of U.S.-bound passengers at foreign airports, and hire more agents for the Immigration and Naturalization Service.

Department of Education

¶ The Clinton Administration plans to ask Congress to approve a grant program of more than $175 million to help school districts screen for weapons and to train students in conflict resolution. Education Secretary Richard Riley said districts with a history of school violence could receive up to $3 million each over two years. Up to one-third of the grant money could be used for installing security systems such as metal detectors and hiring security guards; the remainder would be spent on long-term safety measures and the development of violence prevention programs, including conflict resolution and peer mediation. About 3 million incidents of theft or violence occurred on or near school grounds every day in 1991, according to the Bureau of Justice Statistics.

Payback time for predators:

Court OK's indefinite lockups for sex offenders

Convicted violent sex offenders judged likely to commit further crimes can be confined indefinitely after serving their prison terms, the Washington Supreme Court said last month in a ruling that upheld the state's controversial "sexual predator" law.

The American Civil Liberties Union, the Washington State Psychiatric Association and public defenders had joined to challenge the constitutionality of the law, which was approved in 1990 after a series of high-profile sex-offense cases, including the sexual mutilation of a boy by a convicted sex offender who had recently been released from prison. They argued that the law was constitutionally vague and violated the rights of those who have paid the penalties for their crimes and who may never become recidivists.

In a majority opinion signed by six justices and handed down on Aug. 9, the court held that the law is not only constitutional but "necessary to serve the legitimate and vital purpose of protecting innocent potential victims."

A dissent signed by three justices said the law, by authorizing "the indefinite confinement in mental facilities of persons who are not mentally ill. . . threatens not only the liberty of certain sex offenders, but the liberty of us all."

"By committing individuals based solely on perceived dangerousness, the statute in effect sets up an Orwellian 'dangerousness court,' a technique of social control fundamentally incompatible with our system of ordered liberty guaranteed by the Constitution," the dissenting justices wrote.

The majority ruled, however, that because the sexual predator law is a civil statute, it is unlike criminal statutes in that it was designed to treat, rather than punish, sex offenders. It rejected arguments that a "mental abnormality or personality disorder" that makes a person likely to commit sex crimes is not the same as mental illness.

Those opposing the statute insisted that the law acknowledges that violent sex offenders do not respond to treatment and are unlikely to be cured, and therefore it served no treatment purpose. However, the majority opinion said that opponents failed to prove that treatment goals cannot be met. Only two of the sex offenders committed under the law have elected to undergo voluntary treatment.

ACLU spokesman Gerard Sheehan said the ruling would be appealed if proper grounds could be found.

Although the court upheld the law, it did find fault with the way officials handled two cases involving inmates who were plaintiffs in the lawsuit. It reversed the commitment of Vance Cunningham, a habitual rapist who committed his first sex crime at age 15. Cunningham was convicted of raping two women in 1987 — crimes that occurred after his release from prison for the 1984 rape of a hitchhiker.

The court reversed Cunningham's commitment because it said the state failed to show he had perpetrated a recent dangerous act before he was involuntarily confined as a predator. Cunningham had been out of prison more than four months and had a clean record when he was ordered confined, the court noted, adding that proof of a recent crime was needed for the confinement order, unless the person targeted still is in prison when committed.

Another plaintiff, Andre Brigham Young, who was convicted of a string of six violent rapes since the 1960's, some committed in the presence of children, was serving time when he was ordered confined under the sexual predator statute. But the court also reversed his confinement, saying the law should give violent sex offenders the same rights to "less restrictive alternatives" provided to other mentally ill people facing involuntary commitment.

Young's case was sent back to King County Superior Court, which will consider alternatives to keeping him at the Special Commitment Center on the grounds of the maximum-security prison in Monroe. The Monroe facility currently holds 21 people ordered confined under provisions of the Community Protection Act.

Under that law, when an inmate is about to be released from prison, the End of Sentence Review Committee examines such factors as his criminal history, mental health diagnosis and behavior in prison. If the committee decides that the inmates fits the definition of a sexual predator, the case is passed to county prosecutors and a trial determines whether that inmate should be committed.

The committee has referred about 75 cases to prosecutors, but most are not taken to trial, said Victoria Roberts of the state Department of Corrections, who chairs the committee. "A lot of prosecutors have been leery to proceed because of the constitutional issues involved and the newness of the law," she told The Seattle Post-Intelligencer. "Now that those have been addressed, they will be more inclined to proceed."

King County Prosecutor Norm Maleng, who headed the statewide task force that devised the law, said he didn't believe prosecutors will increase their use of the law as a result of the Supreme Court ruling. "The act was designed to get to a very small number of violent sex predators," he said, "and I think you will see a continuation of what has happened during the last two years."

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Asking for trouble:

Md. forces deploy undertrained rookies

Continued from Page 1

minorities in local police agencies, Washington added. "Some of these municipalities are staffed with five or six officers at the most," he said. "Interestingly enough, very few of them have black or female officers." That contributes to tensions between police and residents of the increasingly diverse county, he said.

While there has been no evidence of a racial angle in the Elliott shooting, Washington said it has not gone unnoticed among many minority residents of the county that Elliott was black and the arresting officer was white.

Tignor said her bill, which would only apply to Prince George's County, would not single out a particular training academy to conduct the revised training that she would like to see every police recruit in the county complete. "I think that's for the municipalities to decide," she said.

District Heights Police Chief Michael Conboy declined to comment about the Elliott shooting or the training that his seven officers have received. He referred questions to the Maryland Police and Correctional Training Commission, which sets police training standards statewide.

The Washington Post, however, reported that the four of the District Heights officers were trained at the Prince George's County Police Department Academy, one at the Prince George's County Municipal Police Academy, and one at a South Carolina police training academy. Leavitt, the officer who arrested Elliott, was trained at an academy in New Hampshire.

Francis Manear, the police training commission's assistant director for administrative affairs, said that none of the academies in the state give less than the mandated 400 hours of training. In fact, most require more than 600 hours, he said. As a case in point, he cited the Prince George's County Police Department, which requires recruits to complete 905 hours of training, plus a four-month tour with a field training officer, before they are assigned to solo patrols.

"I think one of the most important points that we have to make is that before police officers can be sworn in and work the street, they have to graduate from an accredited police academy," said county Police Chief David Mitchell, whose own department underwent policy changes following the 1989 death of Gregory Habib, one of two Ghanaian brothers who became involved in a fight with officers in Langley Park. Since the Habib incident, 46 percent of the force's 1,500 officers are members of minority groups, and cultural awareness and sensitivity training is mandatory, Mitchell said.

"Right now, Maryland law is such that you can work the street for up to a year before you go through the academy," Mitchell added. "I'm concerned about that. Forty hours of handgun training and then going on the streets as a sworn officer is just not enough to provide what the community expects in the way of police service."

Harry Polis Sr., the director of Prince George's Municipal Police Academy, said he feels confident that the state's police training requirements are consistent as well as adequate. What needs to be changed, he said, is the rule that allows the deployment of officers before they complete academy work.

"I have a problem with that, and I've always had a problem with that," he told LEN. "No person should be put out onto the street until they've had the academy, until they've had the basic 800 or 900 hours of training. And *then*, you're put out on the street."

The standard was enacted at a time when there were few training academies operating in the state, Polis noted. "It was really meant to give the small towns time to hire somebody, bring them in and get them acclimated before they could find a spot in the academy. That was OK 25 years ago, but now there are plenty of police academies running courses throughout the state and there's really no reason for police departments to do that."

Polis theorized that those municipal agencies choosing to place recruits on the job before the completion of academy training do so "to see if the guys are going to be OK before they spend the money to send them to school. That's faulty thinking. None of the bigger departments do that anymore. It's just too big of a liability."

Gangs tied to luxury-car smuggling

Los Angeles police say the murder of a Monterey Park woman, who was shot to death by a Vietnamese refugee allegedly trying to steal her car, offers insights into a lucrative branch of Asian organized crime in Southern California — the smuggling of stolen luxury cars to China, where they are often sold for two or three times their worth.

The Los Angeles Times reported last month that the smuggling of luxury cars by Asian gangs, though not new, has become such a serious problem that earlier this year, U.S. Customs officials began monitoring shipments out of the San Pedro docks. So far, they have intercepted $4 million in stolen cars, according to Dave Stevenson, an agent with the National Insurance Crime Bureau in El Monte, an insurance industry organization.

The case involving Coung Minh Hoang, 16, who will soon go to trial for the April murder of Kathy May Lee, 27, offers a textbook look into the smuggling trade, authorities say. Lee, on an errand in Alhambra to buy fabric for her wedding dress, was shot to death when she resisted Hoang's attempt to carjack her gray, $49,000 Lexus.

Authorities believe Hoang was stealing the car to fill an order placed by a buyer, most likely from mainland China. Luxury car enthusiasts in China have a hard time procuring autos like the Lexus because of high duties and a bureaucracy that doubles the cost of the car and makes delivery a protracted affair.

The smugglers moved in to speed up the process by stealing cars off Southern California streets. They are shipped inside 40-foot-long crates often marked "rubber tires" or "household goods," and are shipped to Taiwan from San Pedro, Los Angeles and Long Beach. A few weeks later, the vehicles are delivered to Chinese buyers.

Organized Chinese gangs in the Los Angeles area recruit young street toughs such as Hoang to carry out the vehicle thefts. The foot soldiers do the dirty work, while those at the upper tiers of the organization rake in the profits.

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Getting the lead out:

Firing ranges targeted as eco-hazards

A firing range used by New York City police, which doubles as a bomb-disposal site, has been targeted by environmental activists, who say the bullets fired there for nearly 35 years have contaminated the site with thousands of tons of lead residue that could leech into a nearby bay.

The Rodman's Neck range, located in a Bronx park, is among several similar facilities to draw the wrath of environmentalists, who have forced shutdowns of firing ranges because of fears about their effects on the ecologies of nearby lands and watersheds.

"What would you say if they fenced off Central Park's Great Lawn to turn it into a shooting range?" said Robert F. Kennedy Jr., the son of the late U.S. Senator, who is now an attorney representing environmental groups. "Nobody would stand for it. Why are we standing for this?"

Environmental groups are pressuring the city to turn the site into a park and set up a task force that will find a new location for the firing range and bomb-disposal site. The Legislature, which oversees land use in the state's parks, must approve any change.

Police officials want the facility to remain open. "We have agreed to clean it up," said Police Commissioner Raymond Kelly. "We need the capability to train our officers in the use of firearms and there is no other reasonable alternative."

As a result of a settlement to a suit brought by environmental groups, the city agreed to spend nearly $8 million to remove lead from the soil. John Melia, a spokesman for the Department of Environmental Protection, said the agency plans an annual cleanup of the millions of bullets fired at the range each year. He added there is no evidence that lead residue has leaked into nearby Eastchester Bay, as plaintiffs in the suit alleged.

That is not the case in Westchester County, just north of New York City, where a firing range used by sportsmen is said to be responsible for contaminating the area with hundreds of tons of lead left by 30 years of target practice and skeet shooting. Environmentalists have charged that lead from used ammunition at the Sportsman Range near Cortlandt has already poisoned a stream that runs by an elementary school, and now threatens the Hudson River.

Officials at the school erected a fence to keep children away from the stream and students are required to wash their hands at an outside sink before returning to class from recess. Warnings have also been posted by the county to warn of the lead danger.

"There's not only an environmental problem; the range is a real threat to wildlife and humans," said Bob Foley of Cortlandt Watch, one of several environmental groups suing to close the range. At the same time, the U.S. Environmental Protection Agency is drafting a legal order to force the county to conduct lead testing and mount a multimillion-dollar cleanup of the range. "There's a big problem there and something needs to be done about it," EPA geologist Anne Kelly told USA Today.

"Lead is a four-letter word these days," said Bob Delfay, director of the National Sports Foundation, whose observations appear to be borne out by the emergence of lead-related problems at firing ranges and sporting clubs around the country.

In Chicago, the Lincoln Park Gun Club was evicted from a city-owned range on the shores of Lake Michigan in 1991. After 71 years of use, more than 1,000 tons of lead shot and broken clay pigeons littered the site. Environmentalists charged that the site was polluting Lake Michigan and poisoning its wildlife. A cleanup effort involved the removal of 8,000 cubic yards of lead-tainted soil.

In Stratford, Conn., the Connecticut Coastal Fishermen's Association sued over lead contamination it claimed occurred at the Remington Arms Co. shooting range. That case is pending. A gun club in Deerfield, Ill., was shut down two years ago and sold to the city. A pond was drained so that contaminated sediment could be dredged; ducks were found to have such high lead levels that they had to be destroyed.

Milwaukee County, Wis., officials also ordered the shutdown of a shooting range on Lake Michigan last year because of complaints about lead contamination and noise. The site had been used by a gun club since the early 1900's. "From a public safety standpoint, it was a big problem. From an environmental standpoint, it was an even bigger problem," Kathy Bero of the Lake Michigan Federation told USA Today.

Al Tandy, president of the Westchester Shooting Association, said the campaign to close the Sportsman Center in Cortlandt stems partly from increased public support for gun control. "The anti-gun movement has jumped on the bandwagon and helped carry this to an extreme," he said, adding that the facility is the only one where local sportsmen "can safely use firearms."

Kennedy, who is also representing Westchester County environmentalists, agrees that gun enthusiasts need a place to practice their sport, "but to shoot lead into the ground and not clean it up makes no sense."

Westchester County officials have held public meetings where concerned parents are told the Sportsman Center poses no health risks for children attending nearby Furnace Woods School. Lead poisoning in children can cause brain damage that lead to learning disabilities and behavioral problems. "They've assured us our children are not in any danger," said Gail Zubradt, the mother of two school-age sons.

Despite the assurances, however, Zubradt and other parents are not backing down from their demands. "We want it cleaned up, we want it cleaned up responsibly, and we want it cleaned up quickly," she said.

Marc Moran of the Westchester County Health Department reiterated that the range poses no danger to those living, working or attending school near the site. He acknowledged that the county will be asked by the Federal Government to clean up the site — a task that will cost million of dollars and could endanger the fragile wetlands around it.

Jacksonville police get results with 'personal vehicle' effort

Public, too, said to benefit from 21-year-old program

Continued from Page 1

assign the call to them," he said.

"It's a tremendous value to the citizens," Burgess continued. "We get good support from them. They like seeing the vehicles in the neighborhoods and shopping centers."

Among other achievements credited to the PVP in a 1978 evaluation:

¶ Miles logged by the Patrol Division rose from 5 million in 1971, when 123 patrol units were used on a 24-hour basis, to over 11 million miles in fiscal year 1976-77, after the fleet had tripled to more than 390 vehicles.

¶ The average response time for calls for service has decreased to three minutes. Police say this is remarkable given that the city has over 3,000 road miles and 840 square miles to patrol. In emergency situations, off-duty cars are often the first responders.

¶ The PVP has created a greater sense of security for residents. The report noted that when the program was threatened by budget cuts in the mid-1970's, an outcry by Jacksonville residents saved it from being scrapped.

¶ Police-citizen contacts have increased. In 1977, 14,381 citizens received traffic-related assistance from off-duty officers.

¶ The PVP has helped increase the life of patrol cars from 12-to-18 months to four and sometimes five years. Often, vehicles are in such good shape, they are transferred to the Detective Division or administration for an additional two or three years of use. The cars can be resold at a value slightly below the wholesale price.

¶ The program has reduced "out-of-service" time. Before the program, 50 to 55 cars were out of duty for maintenance — almost 50 percent of the fleet. After the program, only 20-25 cars were out of service at any given time — or 6 percent of the fleet.

¶ Operating costs-per-mile were reduced by 61.9 percent, to a cost of 8 cents per mile.

¶ The PVP has helped increase officer morale because it acknowledges that officers are, in effect, on duty 24 hours a day, 7 days a week, and are still members of the community. The turnover rate for the Jacksonville Police-Sheriff's Department fell to 10 percent from 1971 to 1977.

The program has also been incorporated into the department's disciplinary procedures, with an officer risking the forfeiture of the vehicle for a specified time period for a non-driving-related offense. "This has been a more effective form of discipline than suspension," the report stated.

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Memphis looks to private funding for take-home patrol cars

Continued from Page 1

i's are dotted and t's crossed before we go into it," he said, "but the Director and the Mayor are very favorable toward it. Both of them have commended the business community for wanting to become actively involved in this manner."

Like Jacksonville, which started a similar program in 1972, Memphis is growing rapidly. As a result, the Police Department's area of patrol is increasing, although its personnel levels have remained static. "To pay these men overtime to cover [newly annexed areas] is a significant cost factor," Lewis noted.

The program calls for officers to drive their marked vehicles at least eight hours a week while off duty. They would cruise Memphis streets with their radios tuned to the police frequency and would be expected to respond to crimes reported in the vicinity they are traveling through. Although details are still being worked out, Lewis said that the car would serve as compensation for any overtime that an officer puts in responding to an off-duty call.

Ray Maples, president of the Memphis Police Association, told LEN that he had no problems with the proposal as long as officers who respond to calls during their off hours are properly compensated beyond the calculated worth of the vehicle — a task he said could be negotiated fairly easily.

"Anything they do of that nature is an aid to law enforcement," he said. "If police had enough vehicles that they could drive home, we could have more police officers on the street. The more police, the more they see, and the more criminals they can lock up."

Upcoming Events

OCTOBER

3-5. Street Survival '93. Presented by Calibre Press. Cincinnati. $159 (all three days); $135 (first two days only); $85 (third day only)

4. Quik-Kuf Instructor Certification. Presented by Pro-Systems. Bloomingdale, Ill. $225.

4-5. Team Approach in Child Abuse. Presented by the University of Delaware Cherry Hill, N.J

4-5. Radio Dispatchers' Seminar. Presented by the University of Delaware. Goffstown, N.H.

4-6. Intelligence Acquisition & Analysis. Presented by Rollins College Orlando, Fla. $295.

4-8. Advanced Financial Crime Investigation. Presented by the Northwestern University Traffic Institute. Evanston, Ill. $500.

4-8. Basic Crime Scene Technician Workshop. Presented by the Northwestern University Traffic Institute Evanston, Ill $500.

4-8. Instructor Development Course. Presented by the Northwestern University Traffic Institute. Evanston, Ill. $500

4-8. Microcomputer-Assisted Traffic Accident Reconstruction — EDCRASH. Presented by the Northwestern University Traffic Institute. Evanston, Ill $650.

4-8. Sniper I. Presented by the Institute of Public Service Atlanta. $655.

4-8. Tactical Team Operations I. Presented by the Institute of Public Service. Atlanta $570.

4-8. Introductory TEAM-UP Database Management. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. $575.

4-8. Narcotic Identification & Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. $425

4-8. Interviews & Interrogations for Internal Affairs Officers. Presented by the Institute of Police Technology & Management. Jacksonville, Fla $425

4-15. Accident Investigation II. Presented by the Northwestern University Traffic Institute Evanston, Ill. $700

4-29. School of Police Supervision. Presented by the Southwestern Law Enforcement Institute. Dallas $595/$750.

5-7. Problem-Oriented Policing. Presented by the Northwestern University Traffic Institute. Evanston, Ill. $275.

6-8. Asset Tracing: Forfeiture/Financial Investigation Training. Presented by the Investigation Training Institute. Wilmington, N.C. $495.

7-8. Tactical Narcotic Intelligence. Presented by Rollins College. Orlando, Fla. $225

7-8. Community Policing. Presented by the University of Delaware. Owings Mill, Md.

9. Successful Promotion: A Personal & Career Development Seminar. Presented by Davis & Associates. San Diego. $125

11. OCAT Instructor Certification. Presented by Pro-Systems. Bloomingdale, Ill $195

11-13. Street Survival '93. Presented by Calibre Press. Honolulu. $159 (all three days), $135 (first two days only); $85 (third day only).

11-14. Police/Media Relations. Presented by the Institute of Police Technology & Management Jacksonville, Fla. $395.

11-15. Sniper II. Presented by the Institute of Public Service. Atlanta. $675.

11-15. Tactical Team Operations II. Presented by the Institute of Public Service Atlanta. $700.

11-15. Practical Crime Scene Workshop. Presented by the Northwestern University Traffic Institute. Evanston, Ill. $550

11-15. Successful Grantsmanship. Presented by the Northwestern University Traffic Institute. Evanston, Ill. $500.

11-15. Traffic Radar Instructor Training. Presented by the Northwestern University Traffic Institute. Evanston, Ill $500.

11-15. SWAT Team Operations. Presented by Rollins College. Orlando, Fla $395.

11-15. Basic Technical Surveillance I. Presented by the National Intelligence Academy Fort Lauderdale, Fla. $650

11-15. Drug Unit Commander Seminar. Presented by the Institute of Police Technology & Management Jacksonville, Fla $425.

11-22. At-Scene Traffic Accident Traffic Homicide Investigation. Presented by the Institute of Police Technology & Management Jacksonville, Fla. $575

11-22. Managing Small & Medium-Sized Police Departments. Presented by the Northwestern University Traffic Institute. Evanston, Ill. $700

12. Loss Control Operations. Presented by LPS Inc. Chicago

12-13. Call-Taker Seminar. Presented by the University of Delaware. Richmond, Va.

12-15. Congress '93: The Canadian Congress on Criminal Justice. Co-sponsored by the Canadian Criminal Justice Association & the Quebec Society of Criminology Quebec City

12-15. National Conference on Enhancing Capacities & Confronting Controversies in Criminal Justice. Presented by the Justice Research & Statistics Association and the U.S Bureau of Justice Statistics Albuquerque, N M

13-14. Drug Interdiction. Presented by the University of Delaware Braintree, Mass.

13-15. Internal Affairs Investigation. Presented by the University of Delaware. Wilmington, Del

13-15. Line-of-Duty Deaths: Survivor & Department Response. Presented by Rollins College Orlando, Fla. $235

13-15. Asset Tracing & Financial Investigation Procedures for Investigators & Auditors. Presented by the Investigation Training Institute. Washington, D C. $595.

14-15. Unarmed Defensive Tactics. Presented by Barton County Community College Great Bend, Kan $75.

14-15. Radio Dispatchers' Seminar. Presented by the University of Delaware. Richmond, Va.

17-23. Providing Executive Protection. Presented by the Executive Protection Institute. Berryville, Va.

18-19. Interviewing the Sexually Abused Child. Presented by the University of Delaware Brewster, N Y

18-19. Radio Dispatchers' Seminar. Presented by the University of Delaware. Oakhurst, N.J.

18-20. Questionable Death: Accident, Homicide or Suicide. Presented by Rollins College Orlando, Fla. $350

18-20. Understanding Body Language in Interviewing. Presented by the University of Delaware Boca Raton, Fla

18-21. Advanced Hostage Negotiations. Presented by the Northwestern University Traffic Institute Evanston, Ill. $500

18-21. Interrotec® Kinesic Interview Technique. Presented by the Institute of Public Service. Atlanta $340

18-22. Basic Jail Officer Course. Presented by Barton County Community College Fort Scott, Kan $295

18-22. Law Enforcement Fitness Instructor Certification. Presented by the Northwestern University Traffic Institute Evanston, Ill. $500.

18-22. Police Resource Allocation & Manpower Scheduling. Presented by the Northwestern University Traffic Institute Evanston, Ill $400

18-22. Vehicle Dynamics. Presented by the Northwestern University Traffic Institute Evanston, Ill $500

18-22. Advanced Technical Surveillance II. Presented by the National Intelligence Academy. Fort Lauderdale, Fla $650

18-22. Interviews & Interrogations. Presented by the Institute of Police Technology & Management. Jacksonville, Fla $425.

18-22. Investigation of Motorcycle Accidents. Presented by the Institute of Police Techoology & Management Phoenix. $425

18-29. High-Intensity Officer Survival Course. Presented by Modern Warrior Inc Lindenhurst, N.Y $650.

18-Nov. 5. Command Training Program. Presented by the New England Institute of Law Enforcement Management Wellesley, Mass.

19-20. Conducting the Background Investigation, Presented by the University of Delaware Wilmington, Del

20-21. Officer Field Safety Procedures. Presented by the University of Delaware. Fort Drum, N Y

21-22. Managing the Detective Unit. Presented by the University of Delaware Wilmington, Del.

21-22. Managing the Patrol Function. Presented by the University of Delaware Wayne, N J

25. Weapon Retention Instructor Certification. Presented by Pro-Systems Bloomingdale, Ill. $125.

25-26. Asset Forfeiture. Presented by CFI Associates Ledyard, Conn. $295

25-26. Drug & Narcotics Investigation. Presented by the University of Delaware Braintree, Mass

25-26. Robbery Investigation. Presented by the University of Delaware Worcester, Mass

25-26. Drug Interdiction. Presented by the University of Delaware Jackson, Miss

25-27. Street Survival '93. Presented by Calibre Press. Minneapolis $159 (all three days); $135 (first two days only), $85 (third day only)

25-27. Asset Tracing: Forfeiture/Financial Investigation Training. Presented by the Investigation Training Institute Tacoma, Wash $495

25-28 Comprehensive Staff Inspections Training Presented by the Institute of Police Technology & Management Jacksonville, Fla $396

25-29. Advanced Traffic Accident Reconstruction with Microcomputers (C.A.A.R.t. Presented by the Institute of Police Technology & Management Jacksonville, Fla $595

25-29. Crime Scene Technicians Involving Surface Skeletons & Buried Bodies. Presented by the Institute of Police Technology & Management Jacksonville, Fla $425

25-29. Defense Without Damage (Instructor Training). Presented by the Northwestern University Traffic Institute Evanston, Ill $500

25-29. Basic Telephone Systems I. Presented by the National Intelligence Academy Fort Lauderdale, Fla $650

25-29. Basic Telecommunicator Training. Presented by the Muscatine (Iowa) Police Department. Muscatine, Iowa. $270

25-29. Progressive Patrol Administration. Presented by the Muscatine (Iowa) Police Department Muscatine, Iowa $485

25-29. Training the Trainer. Presented by the Institute of Public Service. Atlanta. $490

25-Nov. 5. Advanced Traffic Accident Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. $425

25-Nov. 5. Traffic Accident Reconstruction I. Presented by the Northwestern University Traffic Institute Evanston, Ill $700

27-28. Concealment Areas within a Vehicle. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. $275.

27-28. Understanding Body Language in Interviewing. Presented by the University of Delaware. Wilmington, Del.

27-28. Locating Hidden Assets & Information. Presented by the University of Delaware Washington, D C

28-29. Cultural Diversity. Presented by the University of Delaware. Owings Mills, Md.

28-29. Radio Dispatchers' Seminar. Presented by the University of Delaware Greenbelt, Md.

28-29. Police Use of Force. Presented by the University of Delaware. Miami Beach, Fla.

28-29. Crime Prevention. Presented by the University of Delaware Wilmington, Del.

NOVEMBER

1-3. Street Survival '93. Presented by Calibre Press. Dallas. $159 (all three days); $135 (first two days only), $85 (third day only).

1-5. Crime Analysis Applications Training. Presented by the Montgomery County, Md., Police Department Rockville, Md $425

1-5. Basic Hostage Negotiations. Presented by the Northwestern University Traffic Institute. Evanston, Ill $500

1-5. Field Training Officers Program. Presented by the Northwestern University Traffic Institute Evanston, Ill $500

1-5. Tactical Team Operations I. Presented by the Institute of Public Service Atlanta. $570

1-5. Hostage Negotiations. Presented by the Institute of Public Service Atlanta. $550.

1-5. Practical Crime Scene Technicians Workshop. Presented by the Institute of Police Technology & Management Jacksonville, Fla $495

1-5. Criminal Patral Drug Enforcement. Presented by the Institute of Police Technology & Management Jacksonville, Fla $425

1-12. Advanced Traffic Accident Investigation. Presented by the Institute of Police Technology & Management St. Petersburg, Fla $575.

2-4. Firearms Retention & Gun Disarming. Presented by Modern Warrior Inc Lewes, Del $250

3-4. Emergency Vehicle Operations. Presented by Barton County Community College. Great Bend, Kan $75

4-5. Drug & Narcotics Investigation. Presented by the University of Delaware Wilmington, Del

4-5. Supervisory Principles in Communication Centers. Presented by the University of Delaware Cherry Hill, N.J

5. PR-24 Certification. Presented by Barton County Community College Great Bend, Kan $75

6. Successful Promotion: A Personal & Career Development Seminar. Presented by Davis & Associates Anaheim, Calif $125.

6-9. Annual Training Seminar. Presented by the Evidence Photographers Council. Los Angeles. $245

For further information:

(Addresses & phone/fax numbers for organizations listed in calendar of events.)

Barton County Community College, Attn James J Ness, Director, Administration of Justice Programs, R R 3, Box 136Z, Great Bend, KS 67530-9283. (316) 792-1243 Fax (316) 792-8035.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037

CFI Associates, Attn.: D Saccente, 998 Farmington Ave., Suite 117, West Hartford, CT 06107 (203) 523-0734 Fax (203) 523-0675

Citizen Ambassador Program, Attn · D Michael Rennaker, Director of Law Programs, Dwight D Eisenhower Building, Spokane, WA 99202 (509) 534-0430 Fax (509) 534-5245

Congress '93 Secretariat, 425 Viger St West, Suite 620, Montreal, Quebec H2Z 1X2 (514) 873-4239 Fax (514) 873-6460

Davis & Associates, P O Box 6725, Laguna Niguel, CA 92607 (714) 495-8334

Evidence Photographers International Council, 600 Main St, Honesdale, PA 18431. (717) 253-5450

Executive Protection Institute, Arcadia Manor, Rte 2, Box 3645, Berryville, VA 22611 (703) 955-1128

Institute of Pulice Technology & Management, University of North Florida, 4567 St Johns Bluff Rd So, Jacksonville, FL 32216 (904) 646-2722

Institute of Public Service, 4854 Old National Highway, Atlanta, GA 30344 1-800-235-4723

Investigation Training Institute, P O Box 669, Shelburne, VT 05482. (802) 985-9123

Justice Research & Statistics Association/ JRSA National Computer Center, 444 N Capitol St., Suite 44, Washington, DC 20001 (202) 624-8560. Fax (202) 624-5269

LPS, 5471 Lake Howell Rd., Suite 236, Winter Park, FL 32792 (407) 671-8226 Fax (407) 671-8249

F. Michael McLaurin & Associates, P O Box 391, Newell, NC 28126-0391 (704) 535-8434

Modern Warrior Inc., 711 N Wellwood Ave., Lindenhurst, NY 11757. (516) 226-8383

Montgomery County Department of Police, Attn.: Skip Baylor, Central Crime Analyst, 2500 Research Blvd, Rockville, MD 20850 (301) 217-4015 Fax (301) 217-4095

Muscatine Police Department, Attn. Capt Robert A Yant, 312 E. 5th St., Muscatine, IA (319) 263-9922. Fax (319) 264-0750

National Intelligence Academy, 1300 N W 62nd St., Fort Lauderdale, FL 33309 (305) 776-5500. Fax (305) 776-5005

New England Institute of Law Enforcement Management, P O Box 57350, Babson Park, MA 02157-0350 (617) 237-4724.

Northwestern University Traffic Institute, 555 Clark St, P O Box 1409, Evanston, IL 60204 1-800-323-4011

Performance Dimensions Inc., P O Box 502, Powers Lake, WI 53159-0502 (414) 279-3850 Fax (414) 279-5758

Pro-Systems, P O Box 261, Glenview, IL 60025 (708) 729-7681

Rollins College, Public Safety Institute 1000 Holt Ave, #2728, Winter Park, FL 32789-4499 (407) 647-6080 Fax (407) 647-3828

Southwestern Law Enforcement Institute, P O Box 830707, Richardson, TX 75083-0707 (214) 690-2376 Fax (214) 690-2458

University of Delaware, Division of Continuing Education, Attn Jacob Haber, 2800 Pennsylvania Ave, Wilmington, DE 19806 (302) 573-4487.

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Overworked & undertrained:

Some Maryland police officers are being assigned to street patrol duties with only 35 hours of firearms training under their belts. Police officials, trainers community activists and legislators say the situation may contribute to brutality and expose departments to civil liability. **Page 1.**

Can I borrow the car tonight, Dad?

Not if the car in question is a police department-issued cruiser. Civic-minded residents of Memphis are seeking $1 million in private support for a take-home car program. If the effort takes off and succeeds like the one in Jacksonville, Fla., has for the past 21 years, such private funding will go a long way to enhancing the greater public good. **Page 1.**